

# Notice of Allowability

Application No.

10/662,585

Examiner

Nirav Patel

Applicant(s)

RYAL, KIM ANNON

Art Unit

2135

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/27/07.
2. ☒ The allowed claim(s) is/are 1-3, 5-9 and 19-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 2/12/07, 5/17/07.
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## DETAILED ACTION

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with the applicant representative, Mr. Miller Jerry A. (Registration No. 30779) on 06/21/2007. During the telephone conference, Mr. Miller has agreed and authorized examiner to amend claims 1, 9, 19, 20 and cancel claims 4, 10-18, 28-42 to distinguish over the prior arts of record.

### CLAIMS:

a. Referring to claim 1:

Please replace claim 1 as follows:

A method of decoding a selectively encrypted data stream at a digital television receiver device, comprising:

at the digital television receiver device, receiving the selectively encrypted data stream from a first source;

at the digital television receiver device, receiving a set of clear packets from a second source, the set of clear packets containing data representing an unencrypted version of the encrypted packets present in the selectively encrypted data stream;

detecting a plurality of encrypted packets forming a part of the selectively encrypted data stream; ~~and~~

substituting the clear packets from the second source for the encrypted packets to form a clear data stream, such clear data stream thereby being produced without decryption of the encrypted packets present in the selectively encrypted data stream by the digital television receiver device;

filtering a set of packets from the selectively encrypted data stream based upon packet identifier values to produce a stream of packets having clear packets and encrypted packets; and

substituting the clear packets from the second source for the encrypted packets into the stream of packets in place of the encrypted packets to produce a stream of clear data.

b. Please cancel claim 4.

c. Referring to claim 9:

Please replace claim 9 as follows:

A computer readable storage medium, storing instructions that when executed on a programmed processor carry out a ~~[process according to claim 1]~~ method of decoding a selectively encrypted data stream at a digital television receiver device, comprising:

at the digital television receiver device, receiving the selectively encrypted data stream from a first source;

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at the digital television receiver device, receiving a set of clear packets from a second source, the set of clear packets containing data representing an unencrypted version of the encrypted packets present in the selectively encrypted data stream;

detecting a plurality of encrypted packets forming a part of the selectively encrypted data stream;

substituting the clear packets from the second source for the encrypted packets to form a clear data stream, such clear data stream thereby being produced without decryption of the encrypted packets present in the selectively encrypted data stream by the digital television receiver device;

filtering a set of packets from the selectively encrypted data stream based upon packet identifier values to produce a stream of packets having clear packets and encrypted packets; and

substituting the clear packets from the second source for the encrypted packets into the stream of packets in place of the encrypted packets to produce a stream of clear data.

d. Please cancel claims 10-18.

e. Referring to claim 19:

Please replace claim 19 as follows:

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An apparatus for manipulating a selectively encrypted data stream at a digital television receiver device, ~~[the selectively encrypted data stream being supplied by a first source of content]~~, comprising:

a receiver that receives the selectively encrypted data stream from a first source of content;

a filter that selects a set of packets from the selectively encrypted data stream received at the digital television receiver device based upon packet identifier values to produce a stream of packets having clear packets and encrypted packets;

means for receiving a set of clear packets from a second source, the clear packets comprising unencrypted packets corresponding to the encrypted packets of the selectively encrypted data stream;

a packet substitutor that inserts the clear packets into the stream of packets in place of the encrypted packets to produce a stream of clear data without decrypting the encrypted packets at the digital television receiver device;

wherein the packet substitutor comprises an encrypted packet detector that detects encrypted packets in the selectively encrypted data stream; and a packet inserter that inserts the clear version of the encrypted packets into the stream of packets.

f. Referring to claim 20:

Please replace claim 20 as follows:

The apparatus according to claim 19, wherein the packet substituter further comprises:

~~[a packet inserter that inserts the clear version of the encrypted packets into the stream of packets;~~

~~an encrypted packet detector that detects encrypted packets in the stream of packets; and]~~

an encrypted packet deleter that deletes the encrypted packets from the stream of packets to produce the stream of clear data.

g. Please cancel claims 28-42.

### **Allowable Subject Matter**

3. Claims 1-3, 5-9 and 19-27 are allowed.

### **Conclusion**

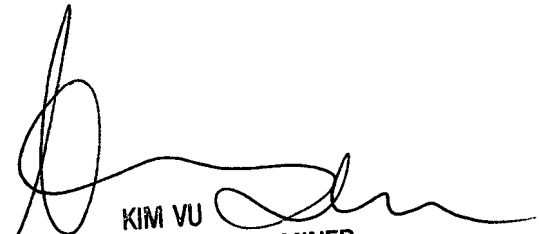
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nirav Patel whose telephone number is 571-272-5936. The examiner can normally be reached on 8 am - 4:30 pm (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*NBP*

6/21/07

  
KIM VU  
SUPERVISORY PATENT EXAMINER  
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